



500.31108CC5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: A. TANAKA et al.
Serial No.: 09/712,171
Filed: November 15, 2000
For: DATA RECONSTRUCTION METHOD AND SYSTEM
WHEREIN TIMING OF DATA RECONSTRUCTION IS
CONTROLLED IN ACCORDANCE WITH CONDITIONS
WHEN A FAILURE OCCURS (As Amended)
Art Unit: 2184
Examiner: S. Baderman

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INFORMATION DISCLOSURE STATEMENT

Box RCE
Assistant Commissioner for Patents
Washington, D.C. 20231

February 6, 2003

Sir:

The Notices of Allowance dated September 30, 2002, November 8, 2002, and December 13, 2002, in connection with the above-identified application are acknowledged. The issue fee has not been paid. A request for continued examination (RCE) under 37 CFR 1.114 is being submitted herewith.

The Notice of Allowance of September 30, 2002, was mailed in response to the request for continued examination (RCE) and the Information Disclosure Statement of August 23, 2002, but was never received by the applicants' representatives at the law firm indicated below as pointed out in the paper filed

on October 28, 2002, entitled "Request for Remailing of Notice of Allowance of September 30, 2002, Not Received by Applicants' Representatives".

The Notice of Allowance of November 8, 2002, was mailed in response to the paper of October 28, 2002, and replaced the Notice of Allowance of September 30, 2002.

The Notice of Allowance of December 13, 2002, was apparently mailed in response to the Information Disclosure Statement of September 30, 2002, and replaced the Notice of Allowance of November 8, 2002.

Pursuant to 37 CFR 1.97(b) and 1.98, attached hereto are a copy of a Japanese Office Action (including a complete English translation) mailed on September 10, 2002, in connection with a Japanese counterpart of the present application; copies of Japanese references 61-259334, 63-90074, and 63-155468 (each including an English abstract and a complete English translation) cited in the Japanese Office Action; and a copy of the following reference:

G. Copeland et al., "A Comparison of High-Availability Media Recovery Techniques", Proceedings of the 1989 ACM SIGMOD International Conference on Management of Data, Portland, Oregon, May 31 - June 2, 1989, pp. 98-109, ACM Press, NY, ISBN 0-89791-317-5, see also SIGMOD Record, Vol. 18, No. 2, June 1989, pp. 98-109, ACM Press, NY, ISSN 0163-5808.

Also attached hereto is a form PTO-1449 listing the four references listed above.

Japanese reference 63-155458 was also cited in the Information Disclosure Statement of August 23, 2002, and was considered by the Examiner

in the Notices of Allowability which were attached to the Notices of Allowance of September 30, 2002, November 8, 2002, and December 13, 2002, but only a copy of this reference and an English abstract of this reference were submitted with the Information Disclosure Statement of August 23, 2002. It is respectfully requested that the Examiner reconsider this reference in light of the English translation of this reference and the English translation of the Japanese Office Action citing this reference which are being submitted herewith.

The Proceedings of the 1989 ACM SIGMOD International Conference on Management of Data reference was also cited in the Information Disclosure Statement of November 15, 2000, and was considered by the Examiner in the Office Action of December 17, 2001, but it is respectfully requested that the Examiner reconsider this reference. Furthermore, a more complete citation of this reference has been provided on the form PTO-1449 attached hereto.

Japanese references 61-259334, 63-90074, and 63-155468 are not in the English language.

The concise explanation of the relevance of Japanese references 61-259334, 63-90074, and 63-155468 required by 37 CFR 1.98(a)(3)(i) is provided by the English abstracts of these references; by the English translations of these references; and by the discussion of these references in the English translation of the Japanese Office Action.

Pursuant to 37 CFR 1.97(b)(4), this Information Disclosure Statement is being before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under 37 CFR 1.114.

It is respectfully requested that this Information Disclosure Statement be considered.

Respectfully submitted,

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Attachments